

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

MARTIN EVERS,

Defendant.

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3:19-CR-250  
(JUDGE MARIANI)

ORDER

FILED  
SCRANTON

NOV 08 2022

PER

DEPUTY CLERK

The Background of this Order is as follows:

On November 6, 2022, the Government filed Government's Motion for Leave to Amend Count 2 of the Superseding Indictment (Doc. 235) and supporting brief (Doc. 236). The Motion states that

[t]he Government seeks leave to amend Count 2 of the superseding indictment by withdrawing the additional allegation that "serious bodily injury and death of "K.D." resulted from the use of the controlled substances distributed and dispensed by the defendant."

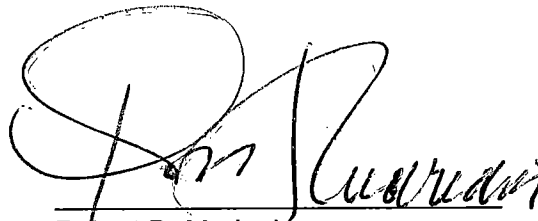
The Government intends to proceed on Count 2 with respect [to] the allegations that the defendant knowingly and intentionally distributed and dispensed to "K.D.", and caused to be distributed and dispensed to "K.D.", outside the usual course of professional practice and not for a legitimate medical purpose, a controlled substance containing methadone, a Schedule II controlled substance, and a controlled substance containing diazepam (Valium), a Schedule IV controlled substance.

(Doc. 235 ¶¶ 3, 4.)

At the Pretrial Conference held on November 8, 2022, Defendant's counsel indicated Defendant has no objection to the Government's Motion.

ACCORDINGLY, THIS 8<sup>th</sup> DAY OF NOVEMBER 2022, IT IS HEREBY ORDERED

THAT the Government filed Government's Motion for Leave to Amend Count 2 of the Superseding Indictment (Doc. 235) is **GRANTED**.

A handwritten signature in black ink, appearing to read "Robert D. Mariani", written over a horizontal line.

Robert D. Mariani  
United States District Judge